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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Application of:**

John R. Peery

**Serial No.:** 09/296,582

**Filed:** April 23, 1999

**For:** TROCAR FOR INSERTING IMPLANTS

**Confirmation No.:** 8609

**Examiner:** J. Maynard

**Group Art Unit:** 3763

**Attorney Docket No.:** ARC 2280 US R1 (3139-6163US)

NOTICE OF EXPRESS MAILING

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## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO/SB/08 be considered by the Examiner and made of record. Copies of the listed documents are enclosed pursuant to 37 C.F.R. § 1.98(a). The listed documents were cited by the Office in co-pending application Serial No. 10/191,700, filed on July 8, 2002, and directed to a related invention.

In accordance with 37 C.F.R. § 1.97(g) and (h), filing of this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as

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defined in 37 C.F.R. § 1.56(b). Further, no representation is made by Applicant herein that no other possible material information as defined in 37 C.F.R. § 1.56 (b) exists.

U.S. Patent Documents

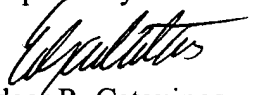
| U.S. Patent No. | Publication Date | Patentee |
|---|---|---|
| US - 5,484,422 | 01/16/1996 | Sloane, Jr. et al. |
| US - 5,733,266 | 03/31/1998 | Gravlee, Jr. |

Applicant offers to supply any explanation or discussion of the documents which the Examiner feels is necessary or desirable and which is requested.

This Supplemental Information Disclosure Statement is filed after the mailing date of the Notice of Allowance, but before payment of the issue fee.

I hereby certify that no item of information contained in the Supplemental Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the statement. Pursuant to 37 C.F.R. § 1.97(d)(ii), applicant hereby requests consideration of the accompanying Supplemental Information Disclosure Statement. The fee pursuant to 37 C.F.R. §1.17(p) for consideration of this Supplemental Information Disclosure Statement is enclosed.

Respectfully submitted,



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Date: April 2, 2004
ERC/ps:dn
Enclosures: Form PTO/SB/08, copy of documents cited, & check in the amount of $180.00
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PTO/SB/08A (10-01)
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Substitute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(use as many sheets as necessary)*

Sheet 1 of 1

| *Complete if Known* | |
|---|---|
| Application Number | 09/296,582 |
| Filing Date | April 23, 1999 |
| First Named Inventor | John R. Peery |
| Group Art Unit | 3763 |
| Examiner Name | J. Maynard |
| Attorney Docket Number | ARC 2280 US R1 (3139-6163US) |

## U.S. PATENT DOCUMENTS

| Examiner Initials * | Cite No.[1] | Document Number<br>Number - Kind Code[2] (*if known*) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|---|---|---|---|---|---|
| | | US-5,484,422 | 01/16/1996 | Sloane, Jr. et al. | |
| | | US- 5,733,266 | 03/31/1998 | Gravlee, Jr. | |
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## FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No.[1] | Foreign Patent Document<br>Country Code[3] - Number[4] - Kind Code[5] (*if known*) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T[6] |
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| Examiner Signature | | Date Considered | |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] Applicant's unique citation designation number (optional) . [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

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